

### DETAILED ACTION

Essentially, the Appellant's reply brief suggests that

- a. The teachings of Behling in regard to over voltage protection or of Brandt in regard to maximizing capacitance in a capacitor have no application to the pair of signal traces included in the structure disclosed in Asai. Thus, teachings of the secondary references--Behling and Brandt—have no bearing on the structure disclosed in the primary reference. The Examiner respectfully agrees, and furthermore the rejection does not rely on the structure of Behling and Brandt, but rather using a high dielectric constant teaching for obviousness rejection. The Appellant argues against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Thus, the Appellant fails to prove that using the high dielectric material teaching of Behling and Brandt would destroy the intended purpose of Asai's invention.
- b. No motivation to combine: The Examiner respectfully disagrees because it is not necessary in order to establish a prima facie case of obviousness it is not necessary that the prior art suggest the combination to achieve the same advantage or results discovered by applicant.
- c. With respect to KSR, the Examiner submits that using high dielectric material between two conductor to create a high capacitance capacitor is well known in the art; thus, the combination of Asai with Behling and/or Brandt would

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read on the claimed limitation and that would be proper within 35 U.S.C. 103(a) obviousness rejection.

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Primary Examiner, Art Unit 2814